

**MINUTES OF MARION CITY COUNCIL REGULAR MEETING**  
**CITY COUNCIL CHAMBERS**  
**TUESDAY, JULY 12,, 2016**  
**6:30 P.M.**

A regular meeting was held by City Council on Tuesday, July 12, 2016 at 6:30 p.m. over which Mayor Bobby L. Davis presided. Council members Michael Baker, Ralph Atkinson, Ronald Atkinson, Odessa Gregg, Joseph Frazier and Emerson Hunt were present. Also present were City Administrator Alan Ammons, City Treasurer Patricia Brown City Clerk Pam Jones and the City Attorney.

Mayor Davis called the meeting to order and Councilwoman Gregg gave the opening prayer. Mr. Ammons led the Pledge of Allegiance. Mayor Davis welcomed citizens, guests and the press. (Hometown TV).

Mayor Pro-tem Ronald Atkinson made a motion to approve the minutes of the regular meeting June 14, 2016 and Special Meeting on June 30, 2016, seconded by Councilman Michael Baker; motion carried.

Lt. Aurelius Cribb of the Marion Police Department, was named *June Employee of the Month* and presented with a gift certificate. Chief Tennie accepted the award for Lt. Cribb and Mayor Davis stated that Lt. Cribb was doing an excellent job.

The Mayor's Monthly Beautification award for June was awarded to Ms. Syrenthia Owens, Mayor Davis thanked Ms. Owens for her help in keeping Marion clean and beautiful. Ms. Owens thanked the Mayor for her award and commented that she hoped to get more of them in the future.

Councilman Emerson Hunt made a motion to accept the bid of \$70,633 from Butler Chrysler (State Bid) for three police cars, seconded by Mayor Pro-tem Ronald Atkinson; motion carried.

Mayor Pro-tem Ronald Atkinson made a motion to accept the low bid of \$33,704 from Vic Bailey Ford for a truck for the City Administrator. The City Administrator's current truck will be given to the Assistant Fire Chief, whose current car will then be given to the Recreation Department. Councilman Joseph Frazier seconded the motion; motion carried.

Councilman Ralph Atkinson made a motion to reappoint Robert McFarland to the Tree Commission for a 3-year term to expire July 2019, seconded by Councilman Michael Baker; motion carried.

Councilman Ralph Atkinson made a motion to reappoint Ronnie Sanders and Poette (Boo) Lewis to the Employee Grievance Committee for a 3-year term ending June 2019; seconded by Councilman Michael Baker; motion carried.

Councilman Ralph Atkinson made a motion to reappoint the following to the Historic District Commission, for 3-year term ending June 2019: Ed Mason, Ann Hooks, J. P. Williams, Al Blake, Bettie Jones, Dr. Walter James and Lucta Gerald Nolan, seconded by Councilwoman Odessa Gregg; motion carried.

Councilman Joseph Frazier made a motion to appoint Cheryl Askins to Risk Management Safety Committee for term ending May 2017, to fill unexpired seat of Billy Thompson. The motion was seconded by Councilwoman Odessa Gregg and carried.

Mayor Pro-tem Ronald Atkinson made a motion to reappoint the following to the Voucher Committee for a 2-year term to expire June 2018: Joetha Kinney, Mary Frazier, Shelley White Sarvis, Dennis Mickey, Donna Rogers, Nellie Ellison and Cliff Wilbanks. The motion was seconded by Councilwoman Odessa Gregg and carried.

Councilman Ralph Atkinson made a motion to approve 1<sup>st</sup> Reading on **ORDINANCE 16-05 AN ORDINANCE OF THE CITY OF MARION, SOUTH CAROLINA TO AMEND SECTION 7-5013 OF THE CITY OF MARION CODE OF ORDINANCES SO AS TO AUTHORIZE THE MAYOR TO WAIVE FACILITY USAGE FEES**. Councilman Michael Baker seconded; motion carried.

Councilman Michael Baker made a motion to approve 1<sup>st</sup> Reading on **ORDINANCE 16-06, AN ORDINANCE TO REPEAL SECTION 6-4210 AND SECTION 6-4203(i) AND TO AMEND SECTION**

**6-4202 TO CONFORM WITH STATE LAW FOR FISCAL YEAR 2017.** Councilman Emerson Hunt seconded the motion; motion carried.

Councilman Michael Baker made a motion to approve 1<sup>st</sup> Reading on **ORDINANCE 16-07, AN ORDINANCE OF THE CITY OF MARION, SOUTH CAROLINA TO AMEND THE BUSINESS AND PROFESSIONAL LICENSE ORDINANCE, WHICH IS INCORPORATED BY REFERENCE IN SECTION 7-4001 OF THE CODE OF ORDINANCES FOR THE CITY OF MARION, SO AS TO PROVIDE A DEFINITION OF NUISANCE AND TO REVISE THE APPEAL PROCESS.** This Ordinance allows the City a means to revoke a business license, but gives them an appeals process for a hearing. Councilman Joseph Frazier seconded the motion; motion carried.

Councilman Ralph made a motion to accept 1<sup>st</sup> Reading on **ORDINANCE 16-08, AN ORDINANCE OF THE CITY OF MARION, SOUTH CAROLINA TO AMEND SECTION 6-1009 OF THE CODE OF ORDINANCES OF THE CITY OF MARION, SOUTH CAROLINA, AS TO PROVIDE FOR A FURTHER DESCRIPTION OF THE PROHIBITED CONDUCT.** Mr. Ammons stated this ordinance actually gives extra criteria as stated under section B. Councilman Hunt asked that Mr. Ammons give some examples to which Mr. Ammons responded one is frequent arrests, and continuous breach of trust and number of calls to police department regarding public safety. This will allow a citation to be issued for that person and they would appear in front of the Hearing Officer appointed by City Council. Councilman Hunt is concerned that the definition of a nuisance is not the same to everyone and that certain business may be singled out. Mr. Ammons responded that it would be the frequency of incidents, not a one-time event, and would be covered by State Statute. Councilman Ralph Atkinson commented that this should also help with the dilapidated houses that are considered a public nuisance. Attorney Newborn commented that this Ordinance would help with the issue of dilapidated property as well as other public nuisances that have an unusually high number of police responses and/or incidents. This Ordinance ties in the Business License (BL) Ordinance whereas the City can revoke the BL for engaging in such activity. Councilman Hunt is concerned that the local bars in the area may be possibly singled out due to the number of incidents that may occur at the location, through no fault of the owner. Attorney Newborn explained that they want to make sure that the criteria is applied equally to all, and the City ultimately decides if a BL is revoked. There is an appeal process that the business can engage. Councilman Hunt wants it on the record that his concern is that it could be used as a weapon to target certain businesses, not saying anyone would, but if it's going to be applied, it should be applied across the board at a certain percentage that allows everyone to fall in the guidelines. Mayor Davis responded that this was not to target anybody, but to protect the citizens of Marion and the Ordinances and laws we have. Councilman Hunt stated that he was not trying to be disrespectful, he was trying to get clarity of this Ordinance for those who elected him. With no more questions or comments, the motion carried.

### **ADMINISTRATOR'S REPORT**

Mr. Ammons updated information on the Comprehensive Plan; Dan Vismore has met with Department Heads and the plan you received is a rough draft of a 10 year plan. If you have anything you want to add please contact Mr. Ammons so he can give him the info. Mr. Vismore will meet with Planning & Zoning next Tuesday. As he gets a draft copy, it will be forwarded to Council for their review, this is probably about 60 days out. Mr. Ammons stated that we are behind in the grass cutting, as we had two openings in that department, which have now been filled. We should be back on track in the next few days. The sweeper has been down for a couple of weeks, parts have been ordered and received and the sweeper should be up and running tomorrow.

### **CITY ATTORNEY'S REPORT**

The City Attorney had nothing to report at this time.

### **DEPARTMENTAL REPORTS**

Mayor Davis stated that all departmental reports were sent to Council in their packets. Ms. Dolly Boyer (Neighborhood Watch A-Team) shared that the National Night Out would be held on August 2<sup>nd</sup> from 6-10 p.m. will begin at the corner of W. Bond and Withlacochee. Also, B-Team will meet at the new sub-station on Jones Avenue and walk thru the neighborhood... Mayor Davis introduced Mr. David King, owner of AWS, who spoke briefly on the issues they had at the first of the year and steps taken to resolve those issues, including new trucks and some new crew members. Mr. King thanked the City for their support. Mayor Davis thanked Mr. King for all that AWS has done to help the City and our citizens.

### **DISTRICTS AND CITY UPDATE FROM COUNCIL AND MAYOR**

Councilman Michael Baker had no comment at this time.

Councilman Joseph Frazier wants Senator Kent Williams come to the next Council meeting and give the same report he gave at the County Council meeting, regarding the condition of our streets and roads and what can be done. He would also like for the Police Department to hold another meet & greet at the Police Station. Mr. Frazier congratulated our City Chaplain, Mrs. Odessa Gregg on being inducted into the Chaplain's Association.

Mayor Pro-tem Ronald Atkinson inquired if anything had been done with the Marion Tire Store, to which Mr. Ammons responded that these new Ordinances would address that situation.

Councilman Ralph Atkinson had no comment at this time.

Councilwoman Odessa Gregg thanked Councilman Frazier and Council and their good words regarding the Chaplain Association. She would like to offer her help to Police Department and Fire Department and asked that the Mayor or Council call her, as these are trying times and we have been blessed that here in Marion we have not had any incidents that have happened in other places. She further commented that it was not by luck, but because we have developed a certain type of relationship here in the City of Marion and is very proud of all of us that live here.

Councilman Emerson Hunt commented that he was very hurt by recent events in our country and it's tragic for Americans to have to go through such senseless violence. We are all human beings, and that is all we are. Some may be a shade darker, some a shade lighter, but we're all human beings and we all have the same needs, the same desires, the same everything. I think we should pray for our country and pray for our law enforcement, who have a hell of a job to do, and it's not easy and bad judgements can be made. Pray for them, because some of them **are** targeted and it's a small percentage that cause the whole of people to look bad and fight each other for no reason. As Americans, we are greater than TV shows and he invites others to be more respectful to others and more considerate of other cultures.

Mayor Bobby L. Davis commented that he believes if we humble ourselves and pray, those of us who were taught and engage in our Christian beliefs, that God will heal this land, and that is what it is going to take. Next Monday Mayor Davis and Mr. Ammons will meet with our police officers to insure them of our support. Those men and women get up every day, not knowing whether they will return home, and we appreciate them. We need to pray for those officers and their families, and it's more stressful now than it has ever been. The MASC Annual meeting will be held next week in Charleston and most of the Council, along with Mr. Ammons will be in attendance. We will receive a lot of valuable information that we try to apply here. Our new Police Sub-station is located at 313 Jones and Mayor Davis encouraged citizens to go by to see it. This should curtail some incidents, activities, etc. that has been taking place. Our intent is to let our citizens know that

here in Marion, our priority is their safety. The next Town Hall meeting would be on Monday, August 15<sup>th</sup> at 6 p.m. at the Opera House. SLED, the Sheriff's Department and local Police Departments will be invited to come and have a dialog as to what we can do as a community. Mrs. Gregg inquired if she could attend the meeting with the Police Department on Monday, to which Mayor Davis responded that she could attend general meeting, but some of the other meetings were not for everyone to attend. Any Council member is invited to attend that general meeting, but must notify the Mayor of their intent to attend, in case there 3 or more, which would be a quorum, and the press would have be notified.

**EXECUTIVE SESSION**

Councilman Ralph Atkinson made a motion to enter Executive Session to receive Legal Advice from the City Attorney, seconded by Councilman Joseph Frazier; motion carried. Upon returning from Executive Session, Mayor Davis stated that no action was taken. Councilman Ralph Atkinson made a motion to return to open session, seconded by Councilman Michael Baker; motion carried.

**ADJOURNMENT**

With no further business to discuss, Councilman Ralph Atkinson made a motion to adjourn, seconded by Councilman Michael Baker; motion carried.

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Mayor Bobby L. Davis

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City Clerk Pam Jones  
Taped July 12, 2016